

The Second Division consisted of the regular members and in addition Referee Nicholas H. Zumas when award was rendered.

Parties to Dispute: { System Federation No. 16, Railway Employees'
Department, A. F. of L. - C. I. O.
(Carmen)

The Detroit and Toledo Shore Line Railroad Company

Dispute: Claim of Employees:

1. That under the current working Agreement Carman Rolland H. Beale was unjustly assessed a ten (10) days overhead suspension by the Carrier on May 30, 1972.
2. That accordingly the Carrier be ordered to remove the ten (1) days overhead suspension from the service record of Carman Rolland H. Beale.

Findings:

The Second Division of the Adjustment Board, upon the whole record and all the evidence, finds that:

The carrier or carriers and the employe or employes involved in this dispute are respectively carrier and employe within the meaning of the Railway Labor Act as approved June 21, 1934.

This Division of the Adjustment Board has jurisdiction over the dispute involved herein.

Parties to said dispute waived right of appearance at hearing thereon.

Claimant failed to report for work, and was given a ten day record suspension. Claimant admitted that he did not report for work, but asserts that he was "unavoidably detained out of town, and my wife was to contact the company." There is no evidence of probative value to show that Claimant's wife contacted an appropriate Carrier officer, and the claim must be denied.

A W A R D

Claim denied.

Form 1
Page 2

Award No. 6736
Docket No. 6432
2-D&TSL-CM-'74

NATIONAL RAILROAD ADJUSTMENT BOARD
By Order of Second Division

Attest: Executive Secretary
National Railroad Adjustment Board

By Rosemarie Brasch
Rosemarie Brasch - Administrative Assistant

Dated at Chicago, Illinois, this 18th day of July, 1974.